

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

BERNARD JERRY, :
Plaintiff :
v. : Case No. 3:08-cv-125-KRG-KAP
JEFFREY BEARD, et al., :
Defendants :

MEMORANDUM ORDER

The plaintiff's post-judgment motions filed at docket no. 95 and docket no. 96 were referred to Magistrate Judge Keith A. Pesto in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(3).

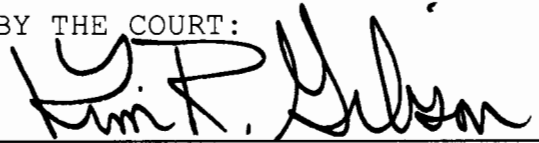
The Magistrate Judge filed an Order and a Report and Recommendation on September 18, 2012, docket no. 102, denying docket no. 96 and recommending that docket no. 95 be denied.

The parties were notified that, pursuant to 28 U.S.C. § 636(b)(1), they had fourteen days to file written objections to the Report and Recommendation. Plaintiff filed a notice of appeal, docket no. 103.

After de novo review of the record, the Report and Recommendation, and the pleadings subsequent thereto, the following order is entered:

AND NOW, this 16th day of October, 2012, it is
ORDERED that plaintiff's motion for reconsideration,
docket no. 95, is denied. The Report and Recommendation is adopted
as the opinion of the Court.

BY THE COURT:

A handwritten signature in black ink, appearing to read "Kim R. Gibson", written over a horizontal line.

KIM R. GIBSON,
UNITED STATES DISTRICT JUDGE

Notice to counsel of record by ECF and by U.S. Mail to:

Bernard Jerry AP-3307
S.C.I. Cresson
P.O. Box A
Cresson, PA 16699-0001